

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Larrus Danyell Jones**

**Docket No. 5:13-CR-39-1BO**

**Petition for Action on Supervised Release**

COMES NOW Dewayne L. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Larrus Danyell Jones, who, upon an earlier plea of guilty to Possession With Intent to Distribute a Quantity of Marijuana, in violation of 21 U.S.C. § 841(a)(1) and 21 U.S.C. 841(b)(1)(D), and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. §924(c)(1)(A), was sentenced by the Honorable Terrence W. Boyle, Chief United States District Judge, on September 24, 2013, to the custody of the Bureau of Prisons for a term of 68 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Jones was released from custody on April 6, 2018, at which time the term of supervised release commenced. On May 18, 2018, a Motion for Revocation was submitted due to the defendant committing new criminal conduct (Driving While License Revoked and Simple Possession of Schedule VI Controlled Substance/Marijuana), failure to notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer, and absconding supervision. A warrant was issued on May 23, 2018, and it was served on June 4, 2018. On July 30, 2018, a revocation hearing was held, and the defendant admitted to the violations contained in the Motion for Revocation. From the evidence presented, the court found as a fact that Jones, who appeared with counsel, had violated the terms and conditions of his judgment. The defendant was given credit for time served (57 days), placed back on supervised release, and the court ordered a status hearing in 6 months. On August 16, 2018, a Petition for Action was submitted advising that Jones tested positive for marijuana on August 6, 2018. Additionally, he failed to contact the probation officer on August 13, 2018. Jones admitted to smoking marijuana while in jail on July 30, 2018. The court added the drug aftercare condition, and he was referred for an assessment. On September 19, 2018, a Violation Report was completed advising that Jones tested positive for marijuana via instant urine screen. He signed an admission of drug use form, was verbally reprimanded, counseled, cognitive behavior skills were used, and instructed to attend weekly outpatient substance abuse sessions. The court agreed to continue supervision. On October 10, 2018, a Violation Report was submitted advising the urine specimen that was obtained on September 19, 2018, was also confirmed positive for oxycodone. Jones admitted use, and the court agreed to continue supervision.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On December 4, 2018, the defendant tested positive for marijuana, amphetamine, and methamphetamine, which were confirmed by the laboratory on December 12, 2018. During a home inspection on December 19, 2018, Jones admitted using these substances, and he signed an admission of drug use form. Additionally, he has failed to attend outpatient drug treatment sessions as instructed. As a sanction for these violations, the probation office is recommending that he be placed on 30 days curfew with electronic monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Dewayne L. Smith  
Dewayne L. Smith  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2338  
Executed On: December 20, 2018

**ORDER OF THE COURT**

Considered and ordered this 21 day of December, 2018, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
Chief United States District Judge